

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**PATRICIA J. DAVIS, an Individual,
JEFFREY J. GOERGEN, and Individual,
and PATRICIA A. DUNCAN, an
Individual,**

Plaintiffs,

vs.

**HUGO ENTERPRISES, LLC f/k/a
Ricketts Enterprises, LLC, a Nebraska
Limited Liability Company,
OPPORTUNITY EDUCATION
FOUNDATION, an Iowa Non-Profit
Corporation, and ADP TOTALSOURCE,
INC., a Florida Corporation,**

Defendants.

CASE NO. 8:11CV221

ORDER

This matter is before the Court on the unopposed Joint Stipulation and Motion to Dismiss (Filing No. 85) filed by Plaintiffs Patricia J. Davis and Patricia A. Duncan and Defendant ADP TotalSource, Inc. ("ADP"), seeking to dismiss, with prejudice, all claims asserted in the Plaintiffs' Complaint against ADP, complete record waived, with costs taxed to the parties incurring the same. Under Federal Rule of Civil Procedure 41(a)(2), the Court finds that the motion should be granted, and the claims asserted against ADP should be dismissed with prejudice, complete record waived. The affected parties will bear their own costs and attorney fees. Accordingly,

IT IS ORDERED:

1. The Joint Stipulation and Motion to Dismiss (Filing No. 85) is granted;
2. All claims for relief stated in the Plaintiffs' Complaint against Defendant ADP TotalSource, Inc., are dismissed with prejudice; and

3. The affected parties will bear their own costs and attorney fees, the complete record shall be waived, and costs will be taxed to the parties incurring the same.

Dated this 2nd day of January, 2013.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge